

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

MEIJER, INC. and MEIJER
DISTRIBUTION
INC., on behalf of themselves and all others
similarly situated

Plaintiffs,

v.

BIOVAIL CORPORATION, BIOVAIL
LABORATORIES, INC., BIOVAIL
LABORATORIES INTERNATIONAL SRL,
and
SMITHKLINE BEECHAM CORP. and
GLAXOSMITHKLINE, PLC,

Defendants.

C.A. No. 08-cv-2431

ROCHESTER DRUG
COOPERATIVE, INC., on behalf of
themselves and all others
similarly situated

Plaintiffs,

v.

BIOVAIL CORPORATION, BIOVAIL
LABORATORIES, INC., BIOVAIL
LABORATORIES INTERNATIONAL SRL,
SMITHKLINE BEECHAM CORP. and
GLAXOSMITHKLINE PLC,

Defendants.

C.A. No.08-cv-2462

AMERICAN SALES COMPANY, INC.,

Plaintiff,

v.

BIOVAIL CORPORATION, BIOVAIL
LABORATORIES, INC., BIOVAIL
LABORATORIES INTERNATIONAL SRL,
and SMITHKLINE BEECHAM, D/B/A
GLAXOSMITHKLINE, PLC,

Defendants.

C.A. No. 08-cv-2464

**DIRECT PURCHASER PLAINTIFFS' UNOPPOSED MOTION
FOR ENTRY OF CASE MANAGEMENT ORDER NO. 1**

Pursuant to Fed. R. Civ. P. 23(g)(3), plaintiffs in the above-captioned direct purchaser antitrust actions Meijer, Inc. and Meijer Distribution, Inc., Rochester Drug Cooperative, Inc., and American Sales Company, Inc. hereby move for entry of Case Management Order No. 1 appointing Interim Class Counsel for a proposed class of direct purchasers and directing such counsel to consult with all other counsel about consolidation and coordination of other direct and indirect purchaser cases. Such an order will promote judicial economy and avoid duplication, and aid in the fair administration of justice.

The defendants in these actions have reviewed this submission and the proposed order and do not object to its entry.

A proposed order is annexed hereto as Exhibit A. Resumes of the firms seeking the appointment requested herein are annexed hereto as Exhibits B - E.

WHEREFORE, for the foregoing reasons, plaintiffs respectfully request that this motion be granted.

Dated: August 13, 2008

/s/ Dianne M. Nast

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CERTIFICATE OF SERVICE

I, Dianne M. Nast, hereby certify that I am one of plaintiff's attorneys and that, on August 13, 2008, I caused copies of the papers annexed hereto to be served on all counsel of record in this proceeding via CM/ECF filing and email.

/s/Dianne M. Nast